

UNITED STATES DISTRICT COURT  
Federal Office Bldg.

UNITED STATES OF AMERICA.  
Plaintiff,

V

Juan A. Molina Candelario  
A/K/A "Chango"  
Defendant

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CLERK OF DISTRICT COURT  
U.S. DISTRICT COURT  
OLD SAN JUAN PR  
REF: (00-CR-00096-SEC)

**Motion for Modification of a Term of  
Supervised Release Pursuant 18 U.S.C. S 3583(e) (1)**

Comes now, (Mr. Juan A. Molina Candelario A/K/A "Chango"), in form pro se, and very respectfully, moves this Honorable Court to modify the provision for supervised release included in this sentence pursuant the provisions set forth in Title 18 U.S.C. S 3593. Monthly Supervision Reports are in compliance and submitted (MSR).

In support of his request for such a modification, the Defendant states as follows:

1. The Defendant has served a term of supervised released of more than two years.
2. The Defendant was not sentenced to pay fines, costs or restitutions.
3. A court assessment ordered by this Honorable Court has been paid in full.
4. The Defendant has an outstanding prison record, and has served his last year or supervised release without incident.
5. Other than the aberrant behavior leading to the Defendant's arrest, conviction and sentencing in the current criminal case, the Defendant has had no other criminal conduct that would lead this Honorable Court to believe he will ever again be involved in any illegal activity.
6. The Defendant has strong family and community ties, he support his four (4) children, and holds full time employment in "Recreación y Deportes" in Caguas, Puerto Rico.
7. Defendant also is employed as an assistant coach for Superior Basketball League of PR Criollos of Caguas.
8. Under the above-mentioned circumstances, the Government can no longer support a compelling penological interest in Defendant's continued supervision by court officials.

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9. DNA Statutory Requirement was completed on 10/04/06.
10. The Defendant avers that although the Government might ascertain that the supervision is not of any adverse significance, it is respectfully submitted to this Honorable Court that, realistically speaking, if the Defendant needed to upgrade his financial status, and were able to find a better job, serving his supervised release would make any reasonable employer think that the individual asking for employment is, neither a very responsible person, nor one to trust.

**MEMORANDUM OF LAW**

Finally, the Defendant respectfully makes this Honorable Court aware that under the statute, Title 18 U.S.C. S 3583 (e) (1), this Court has the discretionary authority to terminate the Defendant's supervised release. In *United States v. Spinelli*, 41 F.3d, 1056 (6<sup>th</sup> Cir. 1994), while affirming the district's court termination of the defendant's supervised release, the Court held:

We hold that the district court, has discretionary authority to terminate a term of supervised released after completion of one year, pursuant to 18 U.S.C. S 3583 (e) (1)m even if the defendant was sentenced to mandatory term of supervised release under 21 U.S.C. S 841 (b) (1) (C) and 18 U.S.C. S 3583 (a).

Id. At Spinelli, supra, at 1060, 1061.

WHEREFORE, relying on the foregoing reasons and cited authorities, the Defendant Mr. Juan A. Molina Candelario, pro se, prays this Honorable Court to grant this Motion by terminating his term of supervised release.

Respectfully submitted,



Mr. Juan A. Molina Candelario  
A/K/A "Chango"  
Ref. 00-CR-096(3) (SEC)  
Calle 9a 4V4  
Villas del Rey IV  
Caguas, P.R. 00725

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of this document was mailed today  
7/16/07 to the following interested persons:

Judge Salvador E. Casellas  
U.S. District Judge  
Federal Office Bldg.  
150 Carlos Chardon Ave.  
Hato Rey, Puerto Rico 00918